

AO 106 (Rev. 04/10) Application for a Search Warrant AUSA: Mitra Jafary-Hariri Telephone: (313) 226-9100
 Special Agent: Brady Rees Telephone: (313) 202-3400

UNITED STATES DISTRICT COURT

for the
 Eastern District of Michigan

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 1935 Chene Court, Apartment 1905, Detroit, Michigan

Case: 2:19-mc-50550
 Assigned To : Borman, Paul D.
 Assign. Date : 4/11/2019
 Case No. Description: Search/Seizure Warrant (SO)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See ATTACHMENT A.

located in the Eastern District of Michigan, there is now concealed (identify the person or describe the property to be seized):

See ATTACHMENT B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(g)(1)	Felon in Possession of a Firearm
18 USC 922(j)	Possession of a Stolen Firearm

The application is based on these facts:

See attached AFFIDAVIT.


- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature
 Brady Rees, ATF Special Agent
 Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: April 11, 2019

City and state: Detroit, Michigan


 Judge's signature
 XXXXXXXXXXXX
 U. S. Magistrate Judge
 David R. Grand
 Printed name and title

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT

AFFIDAVIT

I, Special Agent Brady W. Rees, being first duly sworn, hereby depose and state as follows:

AGENT BACKGROUND

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since January of 2016. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct investigations and make arrests of offenses enumerated in Title 18, United States Code, Section 2516.

2. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. I have a Bachelors in Criminal Justice. During my time at ATF, I have authored several Federal Search Warrants, Federal Criminal Complaints, and Federal Arrest Warrants. Previous to my employment with ATF, I was a police officer with the City of Novi, Michigan, for approximately three years.

3. During my employment with ATF, I have participated in numerous criminal investigations focused on firearms, armed drug tracking violations and criminal street gangs. During said employment, I have utilized a variety of

investigative techniques and resources, including physical and electronic surveillance, undercover and various types of informants and cooperating sources. Through these investigations, my training and experience, and conversations with other agents and other law enforcement personnel, I have become not only familiar with firearms violations, but also with methods used by gang members and drug traffickers, to smuggle and safeguard controlled substances, to distribute controlled substances, and to collect, launder, hide, disguise or conceal related proceeds. I am familiar with methods employed by gang members and large narcotics organizations to attempt to thwart any investigation of their criminal activity. These tactics, employed in part to evade law enforcement, include their criminal use of and association with: multiple residences, multiple cellular phones, counter surveillance, smuggling schemes, false or fictitious identities, coded communications and conversations and the use of firearms to ensure facilitation of the illegal activity. As a federal agent, I am authorized to investigate violations of United States laws and to execute search warrants and arrest warrants issued under the authority of the United States.

4. I have personal knowledge or have been provided by other law enforcement officers with the facts set forth herein. Since this affidavit is being submitted for the limited purpose of obtaining a search warrant, I have not included

each and every fact known to me concerning this investigation; rather I have set forth only the facts necessary to establish probable cause.

PURPOSE OF AFFIDAVIT

5. I make this affidavit in support of an application for a search warrant under Federal Rule of Criminal Procedure 41 for the following location:

a. **1935 Chene Ct, Apartment 1905, Detroit, Eastern District of Michigan (Target Location).** Described as a single-family apartment on the 19th floor of 1935 Chene Court, Regency Tower Apartment building. The numbers “1905” clearly visible and attached to the apartment front door (further described in attachment A).

6. The search of the above listed residence shall include any occupants, and all rooms, attics, crawl spaces, basements, safes, locked boxes, storage facilities, computer hard drives, and/or any computer/data storage devices. The items to be searched for and seized are described in Attachment B of this affidavit, List of Items to be Seized.

7. Based on the information in this affidavit, there is probable cause to believe that fruits, instrumentalities, and evidence of violations of Title 18, U.S.C. § 922 (j) (possession of a stolen firearm), Title 18, U.S.C. § 922(g)(1) (felon in possession of a firearm) and Title 21, U.S.C. § 841(a)(1) (possession with intent to

deliver controlled substances) are contained within 1935 Chene Ct, Apartment 1905, Detroit, Michigan (above listed **Target Location**).

Background of the investigation

8. During the month of April, 2019, ATF has been conducting an investigation of Evann ROBINSON, B/M, DOB: 11/20/1984, a multi-convicted felon, and Eric JOHNSON, B/M, DOB: 11/25/1985, for possible federal violations of firearms and narcotics laws.

9. I reviewed a Computerized Criminal History (CCH) of ROBINSON, which revealed ROBINSON was convicted of the following felony offenses:

- b. 2004 –Felony Assault with Intent to do Great Bodily Harm Less Than Murder or By Strangulation.
- c. 2004 – Felony Weapons – Felony Firearm
- d. 2011 – Attempt Felony – Prisons – Prisoner Possessing Weapons.

10. I reviewed a Computerized Criminal History (CCH) of JOHNSON, which revealed JOHNSON was convicted of the following felony offenses:

- a. 2008 – Felony Weapons - Felony Firearm
- b. 2008 – Felony Home Invasion 2nd Degree

PROBABLE CAUSE

April 9, 2019, Instagram Posts

11. On April 9, 2019, I reviewed a series of videos form the Instagram Account, “gettin_my_grove,” the suspected Instagram Account of ROBINSON.

While reviewing ROBINSON's "Instagram Story," I observed several videos taken from inside the **Target Location**.

12. On April 9, 2019, at approximately 1:00 a.m., ROBINSON posted a video depicting JOHNSON standing in an apartment (**Target Location**). During the video, ROBINSON speaks with JOHNSON. A small wooden table, with suspected narcotics packaging material, can be seen in the living room.

ROBINSON further “tagged” the Instagram Account “narcata_boutdollaz,” suspected Instagram Account of JOHNSON. Below is a still shot from the video:



13. On April 9, 2019, at approximately 1:00 a.m., ROBINSON posted a video of himself smoking suspected marijuana inside the **Target Location**. Below is a still shot from the video:



14. On April 9, 2019, at approximately 8:00 a.m., ROBINSON posted a video depicting a view from the **Target Location**. Below are snapshots from the video:



15. On April 9, 2019, at approximately 8:00 a.m., ROBINSON posted a video depicting a silver Taurus pistol, on a table next to a large amount of U.S. currency, a large jar containing suspected marijuana, credit cards, and additional narcotics packaging material. It should be noted this table was the same table depicted in paragraph 12 (at the **Target Location**). After close review of the video, I was able to obtain the serial number "TYC6772" clearly displayed on the firearm. Further investigation shows this firearm, a Taurus, PT111, Millennium,

9mm, semi-automatic pistol, bearing serial number TYC6772, was confirmed stolen out of Portsmouth, Ohio. Below are still shots of the video uploaded:



Posts by ROBINSON and JOHNSON depicting the Target Location

16. S/A Rees reviewed the Suspected Instagram Accounts of ROBINSON and JOHNSON and found several videos relating to the **Target Location**.

17. On April 8, 2019, ROBINSON posted a video inside the **Target Location** depicting JOHNSON receiving a haircut. The kitchen and living room

table are consistent with all other photographs of the **Target Location**. Below is a snapshot from the video:

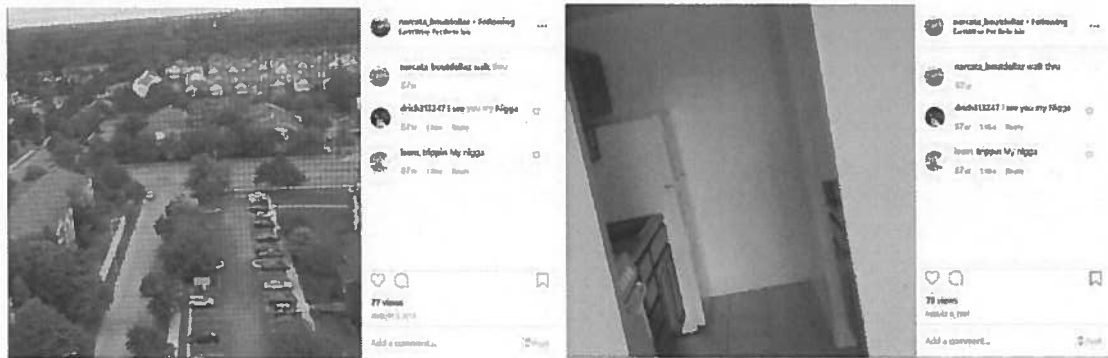


18. On March 15, 2019, ROBINSON posted a video of the view from the **Target Location**. This video depicts ROBINSON walking to the window and

displaying the neighboring streets and apartments. Below are snapshots taken from the video:



19. On August 6, 2017, JOHNSON posted two videos depicting the view and the layout of the **Target Location**. During these videos, JOHNSON narrates as he walks around the apartment. The video is captioned, “walk thru.” As seen in the photographs below, the view and kitchen are from the **Target Location**. Below are still shots taken from the videos:



Surveillance of Target Locations

20. On April 9, 2019, at approximately 3:57 p.m., S/A Rees conducted surveillance at **1935 Chene Court (above listed Target Location)**. SA Rees

observed a grey Dodge Charger, bearing Michigan License Plate EAJ2978, registered to Eric JOHNSON, parked in the parking lot of the above listed **Target Location**.

21. On April 10, 2019, at approximately 10:00 a.m., S/A Yott conducted surveillance at **1935 Chene Court (above listed Target Location)**. SA Rees observed a grey Dodge Charger, bearing Michigan License Plate EAJ2978, registered to Eric JOHNSON, parked in the parking lot of the above listed **Target Location**.

22. On April 10, 2019, at approximately 11:56 a.m., S/A Rees conducted surveillance at the **Target Location**. S/A Rees was able to locate the front door of apartment 1905. The apartment is located on the Southeast corner of Regency Towers, a high rise apartment complex. These observations were consistent with the views and photographs depicted above.

CONCLUSION

23. I conducted a check of available open source computer databases. This search revealed JOHNSON had a utility listing at the **Target Location** as of December, 2018.

24. Based on the information provided to Interstate Nexus S/A McLean, the serial number obtained from photographs above and description of the firearm obtained from the photographs are consistent with a Taurus, PT111, Millennium,

9mm, semi-automatic pistol. Per S/A McLean Taurus, PT111, Millennium, 9mm, semi-automatic pistol meet the definition of a firearm and are manufactured outside the state of Michigan.

25. Based on the foregoing, I believe that there is probable cause that 1935 Chene Court, Apartment 1905, contains fruits, instrumentalities, and evidence of crimes relating to violations of Title 18, U.S.C. § 922 (j) (possession of a stolen firearm), Title 18, U.S.C. § 922(g)(1) (felon in possession of a firearm) and Title 21, U.S.C. § 841(a)(1) (possession with intent to deliver controlled substances). In particular, I believe that there is probable cause that the **Target Location** is the apartment where the video of the stolen gun referenced in paragraphs 15 was made.

26. Given the photographs above, a search of the **Target Location** is necessary to confirm that the photographs and videos were in fact taken at the **Target Location**. This search warrant will allow law enforcement to recover any items relating to or establishing who resided at the **Target Location** and the time periods they resided there. Moreover, it will allow law enforcement to look at and take photographs of the layout of the apartment, the items in the apartment, etc. This will allow law enforcement to determine whether the video of the stolen firearm was in fact made in the Eastern District of Michigan.

27. It is further respectfully requested that the Court issue an order sealing, until further order of this Court, all papers submitted in support of this Application, including the Application, Affidavit, and Search Warrant, and the requisite inventory notice. Sealing is necessary because the items and information to be seized are relevant to an ongoing investigation and premature disclosure of the contents of this Affidavit and related documents may have a negative impact on this continuing investigation and may jeopardize its effectiveness.

WHEREFORE, I request that the Court issue a warrant authorizing a search of 1935 Chene Court, Apartment 1905, Detroit, Michigan.

A handwritten signature in blue ink, appearing to read "Brady Rees", written over a horizontal line.

Special Agent Brady Rees
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means

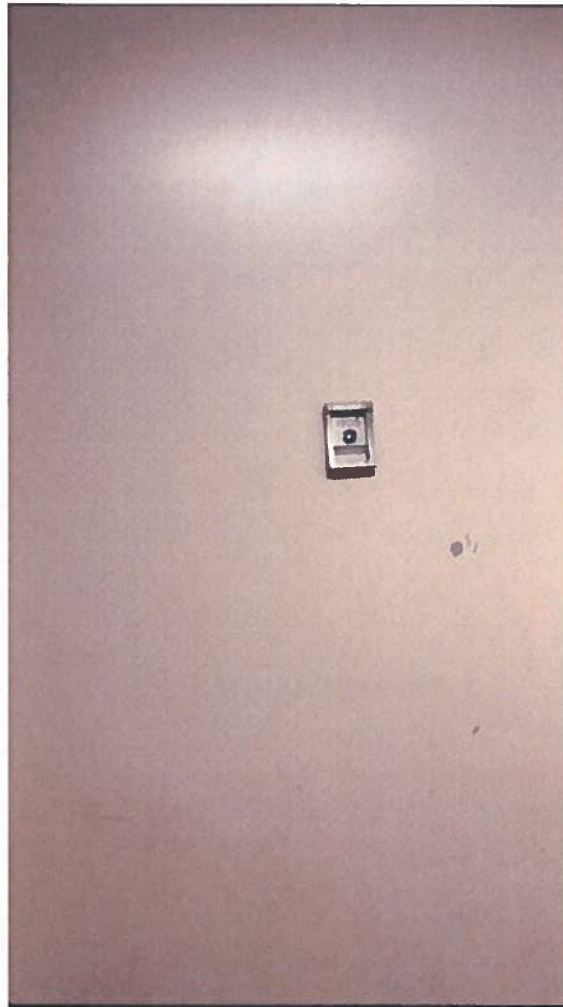
A handwritten signature in blue ink, appearing to read "David R. Grand", written over a horizontal line.

~~MONA K MAXZOU~~ David R. Grand
United States Magistrate Judge

Dated: April 11, 2019

ATTACHMENT A

1935 Chene Court, Apt. 1905, Detroit, Eastern District of Michigan (Target Location) described as a one story single-family apartment inside of the Regency Tower Apartment Building. Apartment 1905 is located on the 19th floor and located in the Southeast corner of the building. The numbers, “1905” are clearly displayed on the front door.





ATTACHMENT B

PARTICULAR ITEMS TO BE SEIZED

1. Evidence, fruits, and instrumentalities related to the above-described criminal violations, including, but not limited to:
 - a. illegal controlled substances;
 - b. paraphernalia for packaging, processing, weighing, and distributing controlled substances, such as scales, plastic bags, and blending material;
 - c. books, records, receipts, notes, ledgers, and other papers relating to the distribution of controlled substances;
 - d. personal books and papers reflecting names, addresses, telephone numbers, and other contact or identification data relating to the distribution of controlled substances;
 - e. cash, currency, and records relating to controlled substances income and expenditures of money and wealth, for example, money orders, safe deposit box information or keys, ledgers, wire transfers, cashier's checks and receipts, bank statements, passbooks, checkbooks, and check registers;
 - f. papers and effects showing occupancy, ownership, dominion or control of the **Target Location**, and any other location that may be used to

- facilitate narcotics trafficking, including, but not limited to, rent and property receipts, keys, bills, and cancelled mail envelopes and contents;
 - g. photographs of narcotics, firearms, ammunition, United States currency, or paraphernalia or other contraband;
 - h. any digital media including but not limited to cell phones, digital cameras, computers, hard drives, digital video recording devices (DVR) compact discs and flash drives that could contain photographs, contacts, and contents therein, that may contain evidence of the above-referenced criminal violations;
 - i. Firearms, firearm parts or ammunition.
2. Evidence of user attribution showing who used or owned the cellular telephones at the time the things described in this warrant were created, edited, or deleted, such as logs, phonebooks, saved usernames and passwords, documents, and browsing history.
3. As used herein, the terms “records” and “information” include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

4. The law enforcement may photograph the **Target Location** while inside. They may seize any physical items in the **Target Location** that are also in the photographs in the affidavit.

AUSA: Mitra Jafary-Hariri

Telephone: (313) 226-9100

AO 93 (Rev. 11/13) Search and Seizure Warrant

Special Agent:

Brady Rees

Telephone: (313) 202-3400

UNITED STATES DISTRICT COURT

for the
Eastern District of Michigan

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

1935 Chene Court, Apartment 1905, Detroit, Michigan

Case: 2:19-mc-50550

Assigned To : Borman, Paul D.

Assign. Date : 4/11/2019

Case No. Description: Search/Seizure Warrant (SO)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Eastern District of Michigan.
(identify the person or describe the property to be searched and give its location):

See ATTACHMENT A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See ATTACHMENT B.

YOU ARE COMMANDED to execute this warrant on or before April 24, 2019 (not to exceed 14 days)
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the presiding United States Magistrate Judge on duty.
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of .
Date and time issued: April 11, 2019 9:36 am


Judge's signature

City and state: Detroit, Michigan~~XXXXXX~~

U. S. Magistrate Judge

David R. Grand

Printed name and title

Case No.:

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of:

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title